

SEP 14 2005

PTO/SB/21 (09-04)


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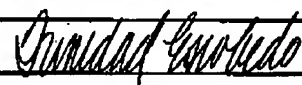
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/505,465	
	Filing Date	08/20/2004	
	First Named Inventor	Wheeler, Jeffrey David	
	Art Unit	3728	
	Examiner Name	Stashick, Anthony D.	
Total Number of Pages in This Submission	8	Attorney Docket Number	37388-402800

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement and PTO/SB/08A form <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Copy of cited reference
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	SEYFARTH SHAW LLP		
Signature			
Printed name	TIMOTHY J. KEEFER		
Date	09/14/2005	Reg. No.	35,567

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey David WHEELER) SPORTS SHOE COVER

)

Serial No. 10/505,465)

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Filed: 08/20/2004)

) Group Art Unit: **3728**INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria VA 22313-1450

Sir,

Submitted herewith is Form PTO/SB/08A and the patent reference.

FR 2437175A (ALAIN REYT) Published April 25, 1980.

FR-A-2437175 was cited by the E.P.O. Examiner in his Substantive Office Action mailed 16th June, 2005. The reference discloses a sleeve which in situ has a top which is shorter than the bottom which is opposite to what is required by the subject application claim 1. Further, the cited French document does not disclose a continuous band of one-piece construction and the band also does not have a varying longitudinal axial length when extended, both features required by claim 1 of the subject application.

Respectfully Submitted,

Date 9/14/05SEYFARTH SHAW LLP
55 E. Monroe Street, Suite 4200,
Chicago,
Illinois 60603,
United States of America.By: 

Timothy J. Keefer, Reg.No. 35,567

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Substitute for form 1449A/PTO

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Sheet

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Complete If Known

Application Number

10/505.465

Filing Date

08/20/2004

First Named Inventor

WHEELER, JEFFREY DAVID

Group Art Unit

Examiner Name

Attorney Docket Number

37389-402800

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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